

# Zone Text Amendment Analysis

December 9, 2009

## Application

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ZT-8-2009

Section 7-6-204 – Agricultural Zone Minimum Lot Size Text Change

Staff Presentation by Hannah Thiel, Planner II

## Background

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This application was continued from the Planning Commission Public Hearing held on November 18, 2009 to allow staff time to review the applicant's Board of Adjustment Options and to further research how this text change could affect various properties in the City. These concerns were specifically addressed in the Planning Commission Study Session on December 2, 2009 and will be addressed again if the Planning Commission has further questions in the Pre-Meeting or Public Hearing on December 9, 2009.

In effort to obtain horses on a lot of 0.49 acres, a resident of West Valley City is proposing a Zone Text Amendment to the Agricultural Zone. The proposed ordinance would allow the minimum lot size for an agricultural lot to be lowered to 20,000 square feet, roughly equivalent to 0.46 acres. The current ordinance requires a minimum lot size of 0.5 acres for a property to be rezoned to agriculture. Upon a survey of West Valley City, staff found a total of 76 single family residential lots that are between 20,000 square feet and 0.5 acres (21,780 square feet). Many of these 76 lots are in locations that wouldn't seem sensible to be rezoned to agriculture. The zone text change could affect new large lot subdivisions ability to have animals on individual lots as well. Like all rezone and subdivision applications, the Planning Commission will have the opportunity to review and provide recommendation to the City Council regarding the approval of such applications on specific properties. This application is for a change to the Agricultural Zone text in Title 7 of the West Valley City Ordinances.

If the proposed text change is approved, the point system for animals will still apply for properties. 200 points are allowed per 1 acre of property and various animals are classified as different numbers of points. Where 0.5 acres is allowed 100 points, a lot of 20,000 square feet would only be allowed 91 points.

Upon Planning Commission and City Council approval of the zone text change, the applicant would be required to submit a zone change application for review and approval by the Planning Commission and City Council prior to her obtaining horses on her property.

**Although this is an application for a zone text change and would apply to all agricultural properties, the Planning Commission had questions regarding the applicant's property during the Study Session on November 4, 2009, which staff would like to address.** The applicant lives in Bluegrass Subdivision at 6413 West Ketchum Drive. This subdivision is currently zoned A-1, A, and R-1-20. The four lots on the north side of Ketchum Drive were rezoned in 1999 from 'R-1-20' to 'A'. It was planned at that time to maintain Ketchum Drive as a buffer between residential and agricultural properties. Since then, the property on the south east corner of Pika Drive and Ketchum Drive has been rezoned later in 1999, and the property in the very south east corner of the subdivision has been rezoned in 2007. These latter rezones have borders with single family residential zones, although agricultural use is less of a concern for residents as the Bluegrass Subdivision has Protective Covenants within their subdivision that limits the keeping of livestock to horses. The remaining lots

in the subject subdivision have not been rezoned as they are less than the minimum 0.5 acres required for an agricultural rezone. The applicant will return to apply for a rezone of her property if the zone text change is approved.

Staff does not foresee this zone text change adversely affecting West Valley City properties.

### **Recommendations/ Staff Alternatives**

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- Approval of the Agricultural Text Change, subject to any issues raised at the public hearing
- Continuance, for resolution of any issues that may arise at the public hearing.
- Denial of Agricultural Zone Text Change

### **Attachments**

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- Proposed Ordinance
- Letter from Applicant
- List of other Cities that allow 20,000 square feet minimum agricultural lot sizes (provided by applicant)
- Map of lots that could be rezoned to 'A' with proposed amendment
- Page concerning livestock from applicant's subdivision protective covenants
- West Valley City Board of Adjustments Ordinance